

*Settling*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re: Methyl Tertiary Butyl Ether  
("MTBE") Products Liability Litigation

Master File No. 1:00-1898  
MDL No. 1358 (SAS)  
(M21-88)

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This Document Relates To:

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*City of Marksville v. Alon USA Energy, Inc.,  
et al.*; 04-CV-03412

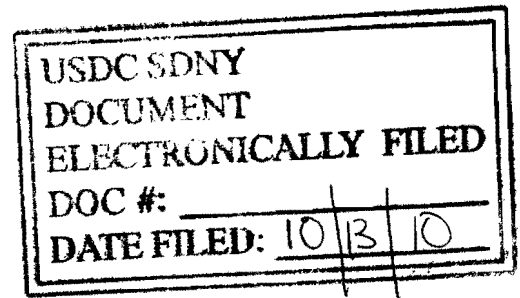
*Town of Rayville v. Alon USA Energy, Inc.,  
et al.*; 04-CV-03413

*Greensville County Water and Sewer Authority  
v. Amerada Hess Corp., et al.*, 05-CV-1310

*Buchanan County School Board v. Amerada  
Hess Corp., et al.*, 04-CV-3418

*Patrick County School Board v. Amerada  
Hess Corp., et al.*, 04-CV-2070

*Town of Matoaka, West Virginia & Matoaka Water  
Systems v. Amerada Hess, et al.*; 04-CV-03420  
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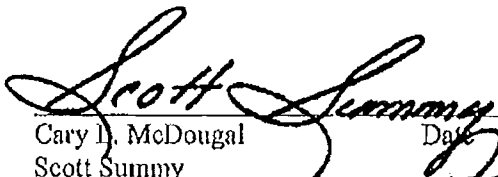
**STIPULATION AND ORDER OF DISMISSAL UNDER FED. R. CIV. P. 41**

The Plaintiffs and the Settling Defendants Placid Refining Co., LLC, a Delaware limited liability company, Placid Holding Company (formerly Placid Refining Company), a Delaware corporation, Louisiana Hunt Refining Company, a Delaware corporation, and Rosewood Refining Company LLC, a Delaware limited liability company (the "Settling Defendants") (collectively the "Parties") have advised the Court that they have resolved the matter between them and agreed to the entry of this Stipulation and Order of Dismissal of the claims against the Settling Defendants as indicated by the signature of the respective counsel below. This Court finds that this Stipulated Order of Dismissal should be entered, with the findings included below:

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED as follows:

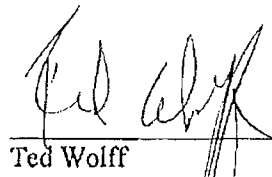
1. This Court has jurisdiction over the Parties to this Stipulation and over the subject matter of this action. The Parties to this Stipulation have advised the Court of their agreement to settle this matter pursuant to a Settlement, Release and Indemnity Agreement and this Stipulated Order of Dismissal.
2. The Parties to this Stipulation consent to the dismissal of this action as to the Settling Defendants only, including all claims and counterclaims, with prejudice.
3. Each party shall bear its own costs and attorneys' fees.

AGREED TO AND ACCEPTED BY:

  
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Date 10-7-10

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*Attorneys for Plaintiffs City of Marksville,  
Town of Rayville, Greensville County  
Water and Sewer Authority, Buchanan  
County School Board, Patrick County  
School Board, and Town of Matoaka, West  
Virginia & Matoaka Water Systems*

  
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9/28/10

*Attorneys for Defendants Placid Refining  
Co., LLC, a Delaware limited liability  
company, Placid Holding Company  
(formerly Placid Refining Company), a  
Delaware corporation, Louisiana Hunt  
Refining Company, a Delaware corporation,  
and Rosewood Refining Company LLC, a  
Delaware limited liability company*

**SO ORDERED:**

Dated: Oct 12, 2010

  
THE HONORABLE SHIRA A. SCHEINDLIN  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**PLAINTIFFS AND DEFENDANT PLACID REFINING  
CO., LLC'S JOINT MOTION FOR VOLUNTARY DISMISSAL  
WITH PREJUDICE PURSUANT TO FRCP41(a)(2)**

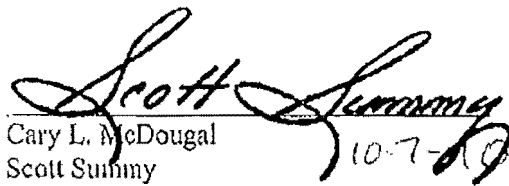
Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiffs City of Marksville, Town of Rayville, Greenville County Water and Sewer Authority, Buchanan County School Board, Patrick County School Board, and Town of Matoaka, West Virginia & Matoaka Water Systems; and Settling Defendants, Placid Refining Co., LLC, a Delaware limited liability company, Placid Holding Company (formerly Placid Refining Company), a Delaware corporation, Louisiana Hunt Refining Company, a Delaware corporation, and Rosewood Refining Company LLC, a Delaware limited liability company's ("Settling Defendants") (collectively "The Parties") move the Court to enter agreed Stipulations and Orders of Dismissal

with Prejudice in each of these cases. The Parties have agreed to a final resolution of all matters in controversy between them, including the settlement of the above cases, and executed Stipulations of Dismissal. The parties have agreed that each shall bear their own costs, expenses and attorneys' fees.

WHEREFORE, the Parties request that this Court enter the attached Stipulations and Orders of Dismissal with Prejudice under Rule 41 of the Federal Rules of Civil Procedure, costs and expenses to be borne by the party incurring them, and for such other relief to which they may be entitled.

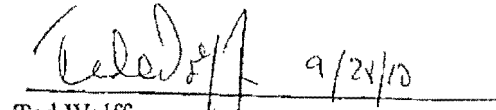
DATED: <sup>OCT</sup> ~~August~~ <sup>12<sup>th</sup></sup>, 2010.

RESPECTFULLY SUBMITTED,

  
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*Attorneys for Defendants Placid Refining  
Co., LLC, a Delaware limited liability  
company, Placid Holding Company  
(formerly Placid Refining Company), a  
Delaware corporation, Louisiana Hunt  
Refining Company, a Delaware  
corporation, and Rosewood Refining  
Company LLC, a Delaware limited liability  
company*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **PLAINTIFFS AND DEFENDANT PLACID REFINING CO., LLC'S JOINT MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE PURSUANT TO FRCP41(a)(2)** was served on all counsel of record by posting it directly to LexisNexis File & Serve on October 12<sup>th</sup>, 2010.

  
SHELLY PETERSEN

MDL No. 1358, Master File No. 1:00-1898

**Subject:** MDL No. 1358, Master File No. 1:00-1898  
**From:** "Shelly Petersen" <spetersen@baronbudd.com>  
**Date:** Tue, 12 Oct 2010 09:36:43 -0500  
**To:** <judgments@nysd.uscourts.gov>

Dear Court Clerk:

Attached is a Stipulation and Order of Dismissal With Prejudice, which was filed on ECF today, as well as served on all counsel of record via LexisNexis File & Serve. I am also attaching the Joint Motion for your reference. Thank you kindly for your assistance.

<<Stip & Proposed Order.pdf>> <<Joint Motion.pdf>>

**Shelly Petersen, Legal Assistant** | BARON & BUDD, P.C.  
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**Stip & Proposed Order.pdf** **Content-Description:** Stip & Proposed Order.pdf  
**Content-Type:** application/octet-stream  
**Content-Encoding:** base64

**Joint Motion.pdf** **Content-Description:** Joint Motion.pdf  
**Content-Type:** application/octet-stream  
**Content-Encoding:** base64